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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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WOODCOCK WASHBURN LLP (MICROSOFT CORPORATION)
CIRA CENTRE, 12TH FLOOR
2929 ARCH STREET
PHILADELPHIA, PA 19104-2891

EXAMINER
PHAM, KHANH B

ART UNIT	PAPER NUMBER
2166	

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10/16/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/678,714	MIHAI ET AL.
	Examiner	Art Unit	
	Khanh B. Pham	2166	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _27 July 2007_.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1,3-5,7,8,12,13,15 and 16_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1,3-5,7,8,12,13,15 and 16_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

       1.☐ Certified copies of the priority documents have been received.

       2.☐ Certified copies of the priority documents have been received in Application No. _____.

       3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2.   **Claims 1, 3-5, 7-8, 12, 13, 15, 16** are rejected under 35 U.S.C. 102(e) as being

anticipated by Kan et al. (US 7,171,415 B2), hereinafter "**Kan**".

As per claims 1, 5, 12, 13, Kan teaches a method and system (See Fig.2) for a

search framework (114) to provide search functionality to a web server (108, 112)

across at least two search providers (120C, 120D), the search framework (114) being

interposed between the web server and each of the search providers, said method

comprising :

- "registering a first search method for performing searches on a first of said at

  least two search providers; registering a second search method for performing

  searches on a second of said at least two search providers" at Col. 7 lines 40-57;

- "registering a first response format for receiving search results from said first

  search provider; register a second response format for receiving search results

  from said second search provider" at Col. 8 lines 50-67;

- "detecting a request to the web server for a search on a selected search provider from among said first search provider and said second search provider, said selected search provider corresponding to a corresponding search method from among said first search method and said second search method" at Col. 8 lines 10-25;

- "providing to the web server a ubiquitous search method for performing said search utilizing said corresponding search method, the ubiquitous search method being generic with regard to any of the first and second search providers and the corresponding search methods thereof" at Col. 8 lines 10-25 and Col. 14 lines 51-67

- "responding to a call from the web server to said ubiquitous search method by performing said search on the selected search provider utilizing said corresponding search method" at Col. 8 lines 10-25;

- "receiving a search result from the selected search provider in a response format corresponding to said selected search provider" at Col. 8 lines 20-30, and

- "providing said received search result to the web server in a ubiquitous format, the ubiquitous format being generic with regard to any of the first and second search providers and the corresponding format thereof" at Col. 13 line 45 to Col. 14 line 7 and Col. 14 line 51 to Col. 15 line 2.

As per claim 3, Kan teaches the method of claim 1, wherein "said method comprises reading search provider data regarding said first search provider and said second search provider from a configuration file" at Col. 9 lines 45-55.

As per claim 4, Kan teaches the method of claim 3, wherein "said method is implemented in conjunction with a web server, and where said configuration file is a web.config file" at Col. 9 lines 45-55 and Col. 11 lines 28-35.

As per claims 7, 15, Kan teaches the method and system of claims 5, 13, wherein "said step of providing said first and said second search results comprises: returning said first and said second search results in a unified format" at Col. 14 lines 55-60.

As per claims 8, 16, Kan teaches the method and system of claims 7, 15, where "said step of detecting a request for a search on said first search provider and second search provider comprises receiving response format data, and where said step of providing said first and said second search results comprises: returning said first and second search results according to said response format data" at Col. 13 line 45 to Col. 14 line 7 and Col. 14 lines 55-60.

Response to Arguments

3.   Applicant's arguments filed July 27, 2007 have been fully considered but they are

not persuasive. The examiner respectfully traverses applicant's arguments.

Applicant argued that Kan does not disclose a search framework is interposed a

web server and one or more search providers. On the contrary, Kan teaches at Fig. 2

the provider proxy 112 is interposed a web server (i.e., QRP interface 108, 112) and
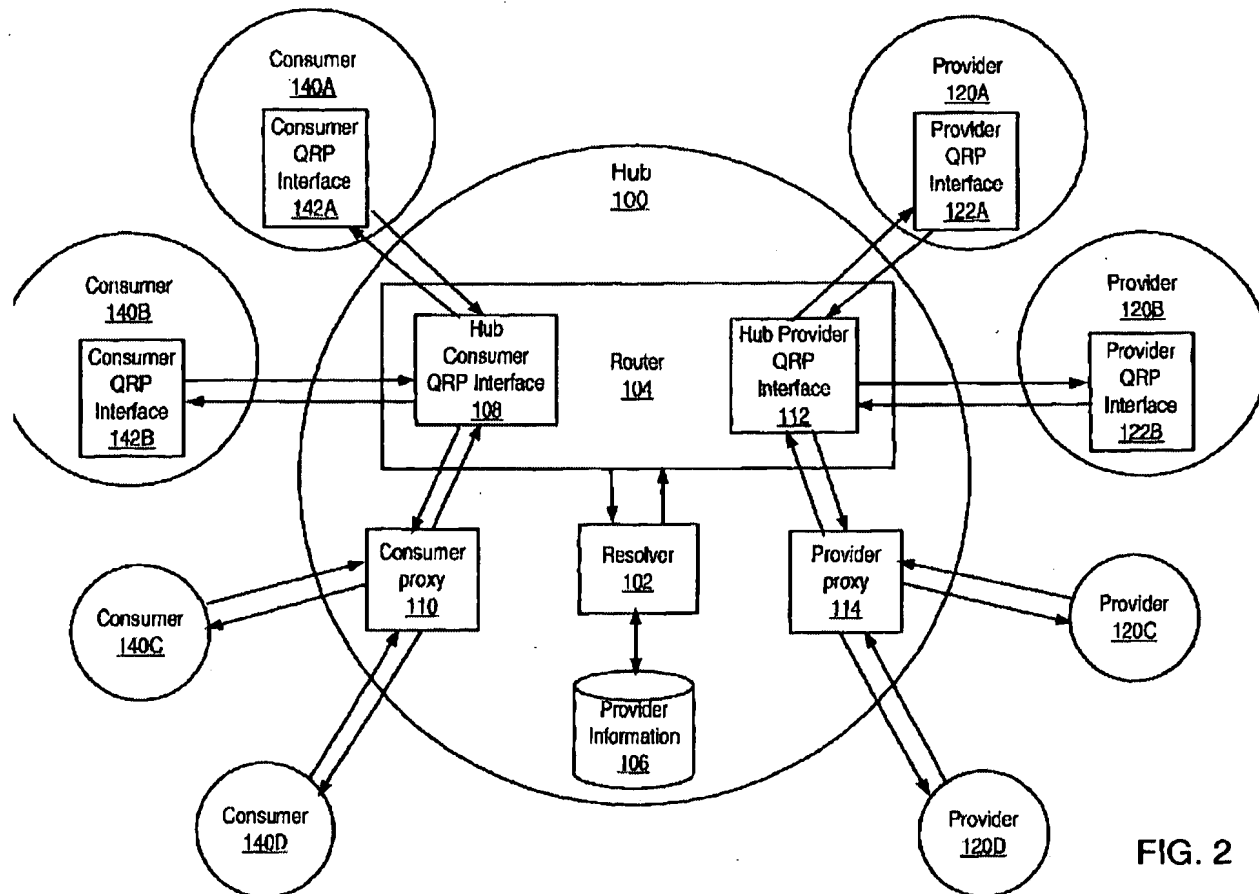
search providers 120C, 120D.

FIG. 2

Applicant argued that Kan system does not teach "detecting a request to the web

server for a search on one or more particular search provider". On the contrary, Kan

teaches at Col. 8 lines 10-25 the step of sending a query form consumer 140 to the hub

100, and the resolver 102 determines qualified providers to forward the query to.

Therefore, Kan's system allows a searcher to search at a particular search providers

based on the submitted query, wherein the particular search providers is the qualified

providers determined by the resolver 102. Kan further teaches at Col. 34 lines 1-14

some attributes that may be included in a query request message including "Number of

hits expected from a provider" and "number of providers to forward the query to", which

implies that user/searcher has full control of the attributes included in a query request

message.

In response to applicant's argument that Kan does not disclose the use of any

ubiquitous or common format for a search method for a query or a ubiquitous format for

search results that is employed by a centralized search framework, the examiner

respectfully submits that Kan teaches at Col. 14 line 48 to Col. 15 line 2 a provider

proxy 114 performs translation of queries formatted according to the query routing

protocol (i.e., "ubiquitous" or "common format") to specific search engine format for a

provider and performs translation of responses (i.e., search result) formatted according

to the specific search engine formats into response formatted according to the query

routing protocol (i.e., "common format"):

> In another embodiment, the provider proxy 114 may
>
> perform translation of queries formatted according to the
>
> query routing protocol to specific search engine formats
>
> for a provider 120, and may also perform translation of
>
> responses formatted according to the specific search engine

formats into responses formatted according to the query

routing protocol.

(Col. 14 line 63 to Col. 15 line 2)

In light of the foregoing arguments, the 35 U.S.C 102 rejection is hereby

sustained.

Conclusion

4.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Khanh B. Pham whose telephone number is (571) 272-

4116. The examiner can normally be reached on Monday through Friday 7:30am to

4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Hosain Alam can be reached on (571) 272-3978. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

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For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Khanh B. Pham
Primary Examiner
Art Unit 2166

October 12, 2007